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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PRICILLA SARAF,

Plaintiff,

vs.

WEST PUBLISHING CORPORATION  
d/b/a THOMSON REUTERS,

Defendant.

**Civil Action No. 16-cv-01425 (VSB)**

**AFFIDAVIT OF MITCHELL BOYARSKY IN  
SUPPORT OF DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

I, Mitchell Boyarsky, being duly sworn, deposes and states as follows:

1. I am a Director with the law firm of Gibbons, PC, attorneys for Defendant West Publishing Corporation d/b/a Thomson Reuters ("Defendant" or "West").
2. I submit this Affidavit in Support of Defendant's Motion for Summary Judgment.
3. Attached as Exhibit 1 is a true and correct copy of the relevant portions of the deposition transcript of Plaintiff, Pricilla Saraf, dated February 9 and 16, 2017.
4. Attached as Exhibit 2 is a true and correct copy of the relevant portions of the deposition transcript of Tommy Williams, dated March 24, 2017.
5. Attached as Exhibit 3 is a true and correct copy of the relevant portions of the deposition transcript of Robert Alston, dated February 28, 2017.

6. Attached as Exhibit 4 is a true and correct copy of the relevant portions of the deposition transcript of Robert Genthner, dated March 15, 2017.

7. Attached as Exhibit 5 is a true and correct copy of the relevant portions of the deposition transcript of Colleen Doherty, dated March 6, 2017.

8. Attached as Exhibit 6 is a true and correct copy of the Charge of Discrimination filed by Plaintiff with the Equal Employment Opportunity Commission, dated January 8, 2016.

9. Attached as Exhibit 7 is a true and correct copy of the Complaint (ECF No. 1) filed by Plaintiff on February 24, 2016.

10. Attached as Exhibit 8 is a true and correct copy of the Amended Complaint (ECF No. 16) filed by Plaintiff on April 25, 2016.

11. Attached as Exhibit 9 is a true and correct copy of Defendant's EEO Policy.

12. Attached as Exhibit 10 is a true and correct copy of Defendant's Family & Medical Leave Policy.

13. Attached as Exhibit 11 is a true and correct copy of Plaintiff's incentive plan, entitled *TREWS Business Development Executive Compensation Plan for 2014*.

14. Attached as Exhibit 12 is a true and correct copy of Plaintiff's incentive plan, entitled *TREWS Business Development Executive Compensation Plan for 2015*.

15. Attached as Exhibit 13 is a true and correct copy of an email dated August 18, 2015 from Mr. Genthner to Plaintiff, with attachment.

16. Attached as Exhibit 14 is a true and correct copy of an email dated June 8, 2015 from Mr. Alston to the Sales Team.

17. Attached as Exhibit 15 is a true and correct copy of an email dated July 7, 2015, from Mr. Alston to the Sales Team, along with an email from Mr. Genthner.

18. Attached as Exhibit 16 is a true and correct copy of Mr. Genthner's notes from August 24 through October 19, 2015 reflecting meetings which he had with Sales Executives on the Thomson Reuters Expert Witness Services ("TREWS") team, including Plaintiff.

19. Attached as Exhibit 17 is a true and correct copy of an email dated July 27, 2015 from Mr. Genthner to Plaintiff.

20. Attached as Exhibit 18 is a true and correct copy of an email chain dated August 4, 2015 between Plaintiff and Barry Wallace.

21. Attached as Exhibit 19 is a true and correct copy of an email dated August 7, 2015 from Mr. Genthner to Plaintiff, with attachment.

22. Attached as Exhibit 20 is a true and correct copy of an email dated June 15, 2015 from Joshua Becker to Mr. Williams (and other senior managers and HR professionals).

23. Attached as Exhibit 21 is a true and correct copy of an email chain dated June 17-23, 2015 from Rob Judge to Mr. Williams (and others).

24. Attached as Exhibit 22 is a true and correct copy of an email chain dated September 2-9, 2015 from Mr. Judge to Messrs. Williams, Alston and Genthner (and others).

25. Attached as Exhibit 23 is a true and correct copy of a PowerPoint presentation entitled "TREWS Review" dated September 14, 2015.

26. Attached as Exhibit 24 is a true and correct copy of a meeting invitation dated October 12, 2015 from Natasha Jaroscak regarding takeaway initiatives from the TREWS review meeting.

27. Attached as Exhibit 25 is a true and correct copy of TREWS Sales Activity Reports dated June 22, 2015 through December 28, 2015, for Plaintiff and Ms. Hurley, which have been redacted so as to exclude information concerning the other Sales Executives on the

TREWS team. The report for Plaintiff is at TR\_SARAF002952; the report for Ms. Hurley is at TR\_SARAF002946.

28. Attached as Exhibit 26 is a true and correct copy of an email dated October 16, 2015 from Mr. Genthner to Mr. Alston, with relevant attachments.<sup>1</sup>

29. Attached as Exhibit 27 is a true and correct copy of an email dated October 16, 2015 from Mr. Alston to Mr. Williams, with relevant attachments. See footnote below.

30. Attached as Exhibit 28 is a true and correct copy of an email dated October 18, 2015 from Mr. Alston to Mr. Williams, with attachments.

31. Attached as Exhibit 29 is a true and correct copy of an email dated September 16, 2015 from Mr. Genthner to the Sales Team.

32. Attached as Exhibit 30 is a true and correct copy of an email dated October 2, 2015 from Mr. Genthner to the Sales Team, with attachment.

33. Attached as Exhibit 31 is a true and correct copy of an email dated October 20, 2015 from Mr. Genthner to Plaintiff.

34. Attached as Exhibit 32 is a true and correct copy of the assessment prepared by Ms. Doherty in connection with the restructure of the TREWS Sales Team.

35. Attached as Exhibit 33 is a true and correct copy of an email chain dated October 27, 2015 between Mr. Alston and Ms. Doherty, with attachment.

36. Attached as Exhibit 34 is a true and correct copy of an email chain dated April 2-9, 2015 between Plaintiff and Mr. Williams.

37. Attached as Exhibit 35 is a true and correct copy of an email chain dated June 12, 2015 between Plaintiff and Mr. Williams.

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<sup>1</sup> Due to the size of the Excel file attached to this email, which pertains to revenue, it has not been included here and will be provided to the Court at its request.

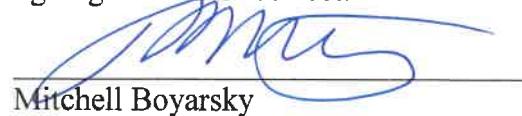
38. Attached as Exhibit 36 is a true and correct copy of Plaintiff's Candidate History.
39. Attached as Exhibit 37 is a true and correct copy of an email chain dated October 27-29, 2015 between Preston Healy and Plaintiff.
40. Attached as Exhibit 38 is a true and correct copy of an email dated June 23, 2015 regarding May 2015 "of the Month" Winners.
41. Attached as Exhibit 39 is a true and correct copy of an email dated August 17, 2015 regarding July "of the Month" Winners.
42. Attached as Exhibit 40 is a true and correct copy of an email dated September 17, 2015 regarding August "of the Month" Winners.
43. Attached as Exhibit 41 is a true and correct copy of an email chain dated January 22, 2015 between Plaintiff, Mr. Gentner and the Sales Team.
44. Attached as Exhibit 42 is a true and correct copy of an email dated June 23, 2015 from Mr. Gentner to Plaintiff, with attachment.
45. Attached as Exhibit 43 is a true and correct copy of an email on or before December 8, 2015 from Mr. Gentner to the Sales Team, with attachments.
46. Attached as Exhibit 44 is a true and correct copy of a check dated February 26, 2016 issued to Plaintiff for earned commissions.
47. Exhibit 45 is a true and correct digital copy of pertinent portions of Plaintiff's Independent Medical Exam, conducted on August 19, 2017.<sup>2</sup>
48. Exhibit 46 are true and correct copy of notes taken by Plaintiff's psychiatrist, Dr. Elyse Weiner, along with pertinent portions of the transcript from her deposition taken on March

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<sup>2</sup> Defendant has requested the Court's permission to file this digital copy under Seal, and will do so, if permission is granted.

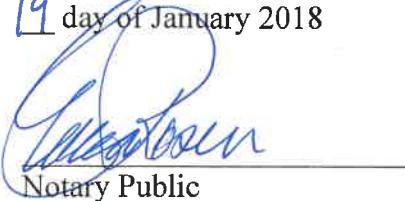
30, 2017. These documents will be filed under seal pursuant to the Court's endorsed order dated January 18, 2017 (ECF No. 87).

I declare under penalty of perjury that the foregoing is true and correct.



Mitchell Boyarsky

Sworn to before me this  
19 day of January 2018



Notary Public

**EILEEN ROSEN**  
Notary Public, State of New York  
No. 01RO4900210  
Qualified in Kings County  
Commission Expires July 6, 2019